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Who Benefits from Dual Citizenship? The New Nationality Law and Multicultural Future of South Korea

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10.1 Introduction

An individual with dual citizenship has long been regarded as “deviant” in the modern nation-state system.¹ The Hague Convention on Nationality of 1930 established the principle of a single allegiance by an individual to a polity—“one nationality for one person”—in order to clarify to which state an individual owed a military obligation (Faist & Kivisto, 2007, p. 32).² Under such a principle, a state authority reserved political, economic, social, and civil rights for its citizens, and only those who had these rights were treated as moral equals and enjoyed full securement of their interests, properties, and identities. As the world has become more and more divided and institutionalized through international law and treaties, each individual has been strongly connected to a specific nation-state. Dual citizenship has thus been perceived as an abnormal situation for the modern nation-state. However, policy makers today are starting to see dual citizenship as an opportunity to promote economic development and to solve such social problems as a declining birth rate and aging population, rather than as a threat to sovereignty and social integration.

Since an increasing number of individuals hold dual or plural citizenship today, the principle of a single allegiance is being challenged and the state authorities are attempting to reinterpret and reconstitute the boundary between the nation and the citizen. This is an issue not only for migrants moving to a new place, but also for people in diaspora.³ Many migrant-sending countries have been trying to build networks with their diaspora populations during the last few decades, including India, China, Italy, Russia, the Philippines, Morocco, Greece, Turkey,

Hungary, Mexico, and South Korea. The development of transportation and communication technologies has not only accelerated migration but also helped those who emigrated, and their descendants, to stay connected to their “home country” from wherever they live. As a result, migrant-sending countries have introduced new policies to encourage emigrants and diaspora to “return” to their “home country,” although such policy changes are introduced not for the welfare of the diaspora population but are usually in the economic and political interests of the state authorities. The question of dual citizenship has become an unavoidable one for both sending and receiving countries. It is often seen as a sign of growing transnationalism and the declining power of the nation-state over individuals’ lives, since individuals with dual or plural citizenship are assumed to be relatively free from the constraints of the disciplinary and controlling power of the state while enjoying a transnational life beyond territorial boundaries. However, such an understanding appears to be misleading when we look closely at the growing acceptance of dual citizenship, which shows an interesting duality: it is usually seen as a sign of the transnationalization of an individual’s activities and belongings, but it is also, in a sense, a new political institution to expand the power of the state beyond its territorial boundaries. Then, what does this change suggest? What impact and significance does dual citizenship have for each of the actors—government, immigrants, and diasporas—involved? Who benefits from dual citizenship?

In order to take a step toward answering these questions, this chapter will look at the case of the New Nationality Law of South Korea that started to recognize dual citizenship, although in a limited way, and will consider the aims, implications, and limitations of this new policy. Responding to the rapid increase in non-professional migrant workers and international marriages, as well as an aging population and declining birth rate (Lim, 2009), South Korea has introduced several policy changes since the 1990s. This study focuses especially on the dual citizenship policy introduced with the revision of the Nationality Law in May 2010 (effective since January 1, 2011). With this policy, the South Korean government seems to be trying to attract more skilled and talented immigrants, to develop connections with such skilled immigrants and with overseas Koreans, and to support the social integration of marriage immigrants and their children. While such a policy change shows South Korea’s move toward a multicultural society, it is simultaneously bringing about new problems to resolve. As it is still a new policy, looking at what are and will be the consequences of this

change may help us to gain a thorough understanding of the impact of dual citizenship on the modern nation-state and on the lives of modern individuals.

10.2 Citizenship and dual citizenship in the modern nation-state system

The notion of a specific territorial boundary encompassing a group of people, as well as the specific forms of government that developed, followed the advent of the modern nation-state in 16th and 17th century Europe. Various political institutions, such as territorial management, centralized authority, control of the nobility, taxation systems, and welfare institutions, were established in the process of state formation. With the development of modern nationality laws in the 19th and 20th centuries, it has become a common practice of the state to delineate inhabitants of its territory as citizens, by the institutions of citizenship and nationality—either by ancestral lineage or by birth. The nation-state came to hold the authority to decide who the “citizen” is and what rights and duties they possess (Hollifield, 2008; Koslowski, 2001).

As the volume and frequency of human migration has increased in a globalized world, more and more people today are living outside the country of their citizenship, and consequently the number of individuals who possess or seek dual citizenship is on the rise. Some commentators say that the question of dual citizenship is the point at which transnationalization of citizenship appears most prominently (Bloemraad et al., 2008, p. 167; Faist, 2007, p. 1), and it puts states under pressure to reformulate traditional citizenship and encourage transnational activities of migrants. Is it really a sign of the declining power of state authority, though? If that is the case, then how do we explain the fact that more and more countries are starting to recognize dual citizenship today?

There is a growing body of literature on the issue of dual or plural citizenship, as more countries have started to recognize it over the past two decades. However, as a relatively new subject, there are not yet enough studies to lead us to concrete theorization. Researchers have addressed variously the reasons for its increase around the world. Some argue that those countries with a large emigrant population will allow dual citizenship; others argue that the increasing movement of people is a consequence of an ever more globalized world in the post-Cold War era, or the shifting character of conflicts to internal ones, or the development

of universal human rights norms. In addition, such domestic factors as the development of gender equality, pressure from emigrants, and growing social problems like labor shortages and an aging society are also responsible for the change (Faist & Gerdes, 2008; Koslowski, 2006). While some countries recognize dual citizenship, however, they do not extend it to immigrants living within their territorial boundaries, as in the case of the Philippines, Taiwan, and Poland. Others, such as the US, are not officially in favor of dual citizenship, but the Supreme Court and State Department recognized people to hold citizenship of multiple countries (Bloemraad et al., 2008, p. 168). The question is why attitudes toward migration policy and dual citizenship vary between countries even when they share similar social, economic, and political conditions.

It is undeniable that economic and political interests are strong driving forces behind the recognition of dual citizenship. However, other factors, such as historical experiences and ideologies, have also had an undeniable influence on the patterns of citizenship and nationality policies around the world today, as well as other social conditions, such as nationalist sentiment or images of immigrants as a threat to the native community in a given society. Recognition of dual citizenship may help immigrants to be acknowledged as equal members in a society and may protect them from discrimination by alleviating the boundary between citizens and "foreigners." However, the classification and criminalization of migrants have been major practices of social control by the authorities, and the "otherness" of migrants can easily be translated into "fear" and "threat." Also, if core political rights are reserved as a privilege of citizens, recognition of dual citizenship may convey a sense of devaluation of national citizenship and may appear as a betrayal by the state; from the perspective of native citizens with single nationality, those with dual citizenship may seem to enjoy more advantages by belonging to multiple polities.

Dual citizenship is often seen as a manifestation of transnationalism, or transnationalization of citizenship. In fact, the number of states permitting dual citizenship has been increasing in recent years, and so has the number of individuals who hold dual citizenship by birth or by choice. However, this does not instantly mean the declining power of state authority over citizens. Dual citizenship policy is rather an attempt by state authority to adjust to, and to re-establish its role and status in, the rapidly changing global environment. The question of dual citizenship is thus a field of negotiation between conflicting forces, including: protecting the privileges of citizens at the cost of the rights

of non-citizens; trying to extract more economic benefit from foreign labor by granting permanent residency or dual citizenship; finding a solution to social problems like an aging society and declining birth rate; increasing the options and opportunities of the diaspora community by dual citizenship; or enabling immigrants to stay mobile so that they can easily move to better opportunities. Although there are substantial differences in attitudes toward dual citizenship between countries, the question of dual citizenship is becoming an important item on the agenda of policy makers around the world, regardless of whether they recognize it or not. In the following section, the focus will turn to the dual citizenship policy of South Korea, and its implications for how it is changing (or will change) society.

10.3 South Korea's new nationality law and dual citizenship policy

Owing to rapid economic development since the late 1980s, labor shortages have been one of the urgent issues faced by the South Korean economy. The influx of foreign workers consequently transformed South Korea from a labor-sending to a labor-importing country. In response to increasing migrants and the growing social problems like declining birth rate, South Korea has been introducing remarkable changes into their immigration and citizenship policies since the mid-1990s (Lee et al., 2006; S. Lee, 2005). These changes have also aimed to attract more migrant workers to stay permanently and to prevent Korean nationals from renouncing their Korean citizenship. The primary goal of these policy changes is to promote economic development while alleviating social problems.

The revision of the Nationality Law in May 2010 (effective since January 1, 2011) opened the door to dual citizenship. It was the latest development in this series of changes made to immigration policies and related legal structures,⁴ including providing immigrant workers and foreign investors with easier access to the Korean economy, and allowing more overseas Koreans to work and stay in South Korea. With regard to overseas Koreans, the Kim Young-Sum administration initiated the New Policy for Overseas Koreans in 1993, which led to the establishment of the Globalization Project Committee in 1995 and the Overseas Koreans Foundation in 1997 in an attempt to strengthen ties between overseas Koreans and promote their rights and interests, as well as participation in the country's development.⁵ The succeeding Kim Dae-Jung administration introduced the Overseas Koreans Act in 1999, which granted partial

citizenship to overseas Koreans.⁶ Policies that also cover non-Korean immigrants include: the Foreign Industrial Trainee Program, which started in 1991; successive Employment Permit Systems (EPS)⁷ from 2004 onward; the Act on the Treatment of Foreigners in Korea of 2007; abolition of the Family Registry Law with the patrilineal family system, which was replaced by the Law on the Registration of Family Relationship in 2008;⁸ and the Multicultural Family Support Act of 2008.⁹ Among these policies, the EPS and the Overseas Korean Act were important steps in extending, albeit partially, the scope of citizenship before the introduction of the New Nationality Law of 2010. What these policy changes show is an orientational shift in South Korea's policy since the 1990s to actively utilize migrant labor rather than control them to ensure social cohesiveness.

The New Nationality Law of 2010 is characterized by: (1) the relaxation of requirements for the naturalization of competent immigrants; (2) the relaxation of the obligation to give up a foreign nationality upon naturalization (limited acceptance of dual citizenship); (3) the acceptance of dual citizenship based on a pledge not to exercise their foreign nationality inside the country; and (4) the prohibition of expatriation without completing military service. The New Nationality Law allows holding dual citizenship for immigrants upon naturalization to South Korea. The recognition of dual citizenship seems to be the government's attempt to attract more talented immigrants to the country and to integrate immigrant brides and their children into society. It also aims to keep ties with overseas Korean communities, as well as those who emigrate for career and education, so that they can contribute to the development of the national economy and that the assets and pensions of aged overseas Koreans can be brought into the country.

The question of dual citizenship has been debated in South Korea since the early 1990s, but it was seen negatively at first because of concerns that it could be used to avoid military service or that it might cause a problem with the family registration system. However, as a consequence of the continuing outflow of the population (especially young and talented individuals), as well as the need for further foreign investment to recover from the economic crisis of 1997, granting partial citizenship for overseas citizens and the recognition of dual citizenship have become important on the agenda for the development of the state. In addition, the pressure from Korean communities in the US, as well as the organization of Korean adoptees abroad,¹⁰ has increased since the turn of the century.

Consequently, South Korea's dual citizenship policy sets several limitations on who is eligible to take such citizenship. The policy excludes:

those who hold two nationalities as a result of “overseas birth”;¹¹ male citizens who have not completed their military service; foreign spouses of Korean nationals who could not maintain their marriage due to unforeseeable reasons (such as death or disappearance of the Korean spouse); foreigners living in the country for more than 20 years (namely, the Chinese minority); overseas Koreans under the age of 65 (regardless of their citizenship); and low-skilled migrant workers.¹² For overseas Koreans, the age restriction and the military obligation are the main obstacles. In fact, the overseas Korean community in the US has been calling for the Korean government to lower the age restriction. The current president, Park Geun-Hye, has been speaking about lowering the age requirement for overseas Koreans from 65 to 55 since her presidential election campaign—due probably to securing the voting by overseas Korean citizens beginning with the presidential last election (December 2012). With regard to immigrants with no Korean origin, there are already several requirements to fulfill before obtaining a permanent or long-term residency visa or before applying for naturalization. This makes it difficult for semi- or low-skilled migrant workers to have dual citizenship in South Korea.¹³ Thus, South Korea’s New Nationality Law can also be seen as an attempt to attract skilled migrant workers as well as Koreans educated abroad to return, while marginalizing low-skilled and poorly educated migrant workers, maintaining the national security system, and encouraging the economic activities and investments of overseas Korean citizens under the auspices of the state.

These concerns are not unique to South Korea, as the question of dual citizenship has been under debate in many other countries. However, the reaction to these questions and the changes made to policies differ, even among countries of similar social and economic conditions. Among Asian countries, for instance, Singapore and Japan have a similar, or even higher, economic status compared with South Korea. These three countries also share common social problems today, including an aging population, labor shortages, and a declining birth rate. However, neither Singapore nor Japan officially acknowledges dual citizenship. With its strictly polarized immigration policy, Singapore provides liberal and preferential conditions for highly skilled and talented professionals to work, while putting such constraints on low-skilled workers as not allowing family reunions and marriage with Singaporean citizens (Cho, 2011; Low, 2011). These “global talents” tend to be highly mobile, though, while permanent residents are often reluctant to become naturalized citizens because of the military service obligation, and many young Singaporeans are willing to leave the country for their career

or education, if given the chance (Yeoh & Lin, 2012). This has made Singapore increasingly dependent on non-resident migrant workers. As a consequence, today the Singaporean government is under strong pressure from both non-resident citizens and non-citizen residents to start recognizing dual citizenship. The Japanese government too has been reluctant to open its door to low- or semi-skilled migrants. Official acceptance of immigrant labor is limited to “through the side door,” such as granting Long-term Resident visa to Japanese descendants, allowing trainees on the Technical Intern Training Program not to be treated as immigrant labor, and accepting candidate nurses and candidate care workers from Southeast Asia under the Economic Partnership Agreement (Carlos, 2012). A social environment unfavorable to outsiders may also prevent immigrants from becoming a member of Japanese society, which is reflected in the fact that the rates of permanent residency and naturalization show no significant difference from those in Singapore and South Korea, despite the fact that Japan has no mandatory military service for male citizens.

There are, of course, problems regarding the treatment of, or range of discrimination against, low-skilled migrant workers in South Korea. Nevertheless, South Korea did introduce a dual citizenship policy, albeit limited. While there may be several complex factors that led the government to implement the policy, a major one may be the rapid and massive transformation in the composition of the population due to growing immigration since the 1990s. The development of such social problems as an aging population and declining birth rate also had an undeniable influence on migration and citizenship policies. Another factor may be the historical experience of having large emigrant populations as a consequence of colonization, decolonization, war, and economic difficulties, which have developed into an abundant “resource” for networking, especially after the economic crisis in the late 1990s. Migration to Western countries, especially to the US, has long been a strong preference for many South Koreans in search of better work and educational opportunities, and it has now developed into lively networks and communities of overseas Koreans generating the “culture of migration” in South Korean society. South Korea’s policy of limited acceptance of dual citizenship may be driven by economic interest rather than universal human rights norms or diaspora welfare. Yet its limited nature and exclusion of low-skilled migrant workers show the government’s concern with the issue of competing loyalties and obligations, as well as immigrant integration and political cohesion. While South Korea seems to be shifting toward a multicultural society with the

New Nationality Law, it has brought about a new set of problems for society to overcome. That said, the rest of this chapter will discuss what implications the dual citizenship policy has for the changes happening, or that will happen, in South Korean society.

10.4 Dual citizenship, transnationalism, and transnational nationalism

While scholars of globalization have argued that there are increasingly more transnational or postnational spaces for individuals, civil organizations, and NGOs to develop a transnational civil society, outside the modern state structure and the system of international society (e.g. Appadurai, 1996; Ong, 1999; Sassen, 1996; Soysal, 1994), such a contrast between national and transnational is misleading. Both practices are often mutually dependent, and transnational activities can be embedded within the very structure of the state and interstate system, helping to reconstitute the state itself (Bauböck, 2003, p. 701; Varadarajan, 2010, p. 25). In a similar vein, dual citizenship has been a disturbing factor for the modern nation-state with regard to the principle of single allegiance, and it is often seen as a sign of growing transnationalism that enables individuals to transcend exclusionary nationalism. Dual citizenship, however, does not necessarily have to conflict with nationalism, but nationalism can play an important role in both the implementation and practice of policies targeting overseas Koreans. In fact, migrants today maintain connections with their families, friends, co-villagers, religious colleagues, and business partners with the help of communication, transportation, and financial mechanisms. Such cross-border social networks enable them to engage in the economic, social, and political life of their country of origin, while simultaneously encouraging the sending countries to develop such connections for their own advantage.

The growing volume and frequency of transnational activities of migrants—migrant transnationalism—can, in a cumulative way, have enough impact to change the state sovereignty and social life of people in both the sending and receiving countries (Portes, 2003; Vertovec, 2004). On the one hand, therefore, “dual citizenship is an enabling device for transnational practices” (Bauböck, 2003, p. 715), as it gives individuals such rights as unconditional right of entry, right to bring in family members, right to own property, right to access welfare, and right to security and protection. On the other hand, though, it is part of a national project to re-establish and reinstitute the role and sovereignty

of states in a changing global environment and to engage with diaspora for national development. As Varadarajan writes:

the diasporic reimagining of the nation that characterizes the production of the domestic abroad is not a process that is driven by diasporas themselves. It is [...] a peculiar form of transnational nationalism that has been embraced by states at the same time as they embark on programs of neoliberal restructuring. (2010, p. 49)¹⁴

In terms of South Korea, overseas Koreans have long entered into transnational activities across state boundaries in business, education, artistic activities, social movements, and political participation (Lee & Park, 2008). They not only establish and maintain ties with Korean society through such cross-border activities, but also extract various benefits.¹⁵ The media—newspapers, satellite television, and the Internet—may play an important role in this process, since they enable people to communicate and share information within and beyond diaspora communities that network across borders, as well as to interlink the social lives of diaspora communities and South Korea through common cultural resources such as TV programs and music. The development of such connections has made the South Korean government aware of the usefulness of diaspora networks to attract investment and human resources from overseas Koreans, and possibly strengthen economic, political, and cultural ties between their host countries and South Korea. However, it is also true that there is a significant difference between Korean diaspora communities in the degree of their transnational activities and engagement with South Korea.

South Korea has introduced a series of policies for its diaspora population since the 1990s that has extended the boundary of political belonging, albeit partially, beyond its territorial boundary. This was due to the changes in the political and economic environment following the end of the Cold War as well as political democratization at home, the economic crisis of 1997, and the growing numbers of overseas Koreans. The New Nationality Law of 2010 extended the boundary further by partially recognizing dual citizenship. The dual citizenship policy can be understood as an attempt to reimagine the nation through the expansion of the scope of citizenship. In other words, it is a project of state-initiated transnational nationalism, with the aim of improving the political and economic standing of South Korea in international society by attracting talented migrants and developing diasporic engagement.

It is, however, difficult to evaluate how successful the dual citizenship policy is in attracting and providing an opportunity for immigrants and overseas Koreans to enjoy full citizenship in South Korea. Although it has only been two years since the enactment of the New Nationality Law in January 2011, statistics shows that the number of those who acquired South Korean nationality has not increased drastically compared with previous years, but it rather decreased: about 13,000 people got South Korean nationality in 2012, while it was about 19,000 in 2011 and 18,000 in 2010 (Table 10.1). The number of citizenship renunciations has also decreased, though still exceeding the number of naturalizations. While there is no concrete data on the rate of dual citizenship holders/applicants among the number of naturalizations and renunciations, it may be assumed that, overall, the interest in dual citizenship among immigrants and overseas Koreans without Korean citizenship is not so high. On the other hand, however, the rate of citizenship renunciations among those who hold dual citizenship is decreasing since the enactment of the New Nationality Law. Therefore, the expectation of the government from the dual citizenship policy is “to stop the net outflow of population and to contribute to the increased economic competitiveness of the country.”¹⁶

There are still several obstacles to be removed before the dual citizenship policy brings about further social changes. For instance, mandatory military service still pushes Korean males with dual citizenship to choose foreign citizenship over Korean citizenship, and it also makes immigrants unwilling to naturalize, in order to avoid the duty for their

Table 10.1 Acquisition and loss of nationality in South Korea from 2007 to 2012

	2007	2008	2009	2010	2011	2012
Naturalization	8,480	11,512	25,035	16,303	16,085	10,540
Recovery	1,781	3,740	1,708	1,010	2,264	1,987
Acquisition	119	125	205	267	316	240
Reacquisition	158	122	129	543	899	616
Loss	22,802	20,163	21,136	22,131	21,472	17,641
Renunciation	726	276	886	733	1,324	823
Other	696	154	708	1,448	1,722	1,365
TOTAL	34,762	36,092	49,807	42,435	44,082	33,212

Note: ‘Other’ includes numbers for decision of nationality, choice of nationality, and keeping of nationality.

Source: Ministry of Justice, South Korea, *Churipgug-oegugin-jeongchaek-tonggye-yeonbo 2012* [Korea Immigration Service Statistics 2012], pp.614–615.

children. In addition, for non-Korean immigrants, except those who are married to a Korean citizen,¹⁷ requirements for naturalization, such as length of residency and residential status, occupational and economic status, and knowledge of the Korean language, history, and culture, often become hindrances, as these may cost more than the benefit of holding dual citizenship. Moreover, the existence of a narrow ethno-racial concept of national identity becomes not only a barrier to social participation for immigrants, including overseas Koreans, but also leads to severe discrimination and exclusion that impede the development of multiculturalism in South Korea (Lim, 2009). Dual citizenship, then, may be no more than an instrumental choice for professional migrant workers and spouses of Korean citizens, which is where the debate about political belonging and national belonging rises to the surface.

Dual citizenship is a practice of transnational nationalism with which states attempt to expand the boundary of the nation and the citizen. At the same time, transnationalism of diasporas—for instance, associations of Korean American and Korean adoptees lobbying for dual citizenship—is also inextricably linked with nationalism (Ang, 2001). Such forms of nationalism directed to/from outside territorial borders, however, have the potential to change the narrow view of nationalists who put sole importance on the home country, and to enable immigrants and diasporas to express their multiple and multilayered identities. If this is the case, South Korean society can overcome its narrow concept of national identity and belonging based on the dichotomy of inside/outside (against immigrants) and purity/impurity (against overseas Koreans), and start to embrace not only co-ethnic “brethren” but also every stakeholder in society as part of the nation.

10.5 Is dual citizenship a step toward a multicultural society?

When thinking about the cultural diversity of South Korean society, there are broadly two issues of concern. One is the relationship of South Korean society with immigrants, including immigrant workers and immigrant brides who are not of Korean origin; and the other is its relationship with overseas Koreans, regardless of their citizenship status.

With regard to the latter group, the overseas Korean population mainly comprises people of Korean origin in China, North America, Japan, former USSR countries, and Koreans adopted overseas, some of whom carry Korean citizenship and some not. There are also Korean communities in South America, Europe, Australia, and New Zealand,

which are a source of return migration. Just considering the variety of locations, it is possible to say that there is already a multicultural diversity within a population group categorized as “Korean.” These Koreans, with varying social, cultural, and linguistic backgrounds, are connected to South Korea with the help of the development of communication and transportation. Some of them “return” to their “home country” in order to find jobs or educational opportunities, or to satisfy their desire to identify with their ancestral land. However, it is not easy for second or third (or later) generations of overseas Koreans to be a part of South Korean society. A closer look reveals that their cultural differences are not regarded equally in the society, and they quite often face discrimination and marginalization because of differences in language, cultural behavior, and social experience, such as education and military service (Kibria, 2002). Since the enactment of the New Nationality Law in 2011, many Koreans who were adopted overseas are returning to South Korea in order to recover their Korean citizenship and to work and study.¹⁸ However, they too come to feel that they are “foreigners” in society for having a different language and social experiences.

Such experiences are the consequence of the narrow ethno-racial concept of national identity, in which not only non-Korean immigrants, but also “mixed-blood” and overseas Koreans, are marginalized and discriminated against as not being “true” Korean. Especially among overseas Koreans, the Korean Chinese have been facing serious discrimination in South Korea for decades (Chung, 2008; S. Lee, 2005). Most Korean Chinese come as low-skilled labor migrants or as brides, and they have often been treated unjustly at work and at home: their common ethnic origin and language places them only slightly above other low-skilled migrant workers. Such treatment of Korean Chinese was evident in the Overseas Koreans Act of 1999, which at first excluded Korean Chinese, ethnic Koreans in the former USSR countries, and some Koreans in Japan. Although the Act was amended later due to opposition from civil society and the Chinese government, each Korean group from different locations was still treated unequally and hierarchically within the amended Act: the highest privilege was given to Korean Americans, while scant attention was given to Korean Chinese (Chung, 2008; Park, 1996). It is also reported that Korean businessmen’s imposition of their business models and cultural practices on their ethnic Korean business partners in the former USSR countries is creating an extremely negative reaction among these ethnic Koreans (Hübinette, 2009, p. 58). This demonstrates that there is a hierarchical view against diasporas on the side of native Koreans; placing diaspora communities in a lower status than Koreans

in South Korea. Taken as a treatise or an ideology, the idea of diaspora essentially contains the essence of differentiation. It bestows the “home country” with the authenticity and centrality for the national collective, without questioning the sociohistorical origin of the nation itself. It then establishes an unequal power relationship between those who are members of the “home country” and the diasporas outside.

In terms of immigrants of non-Korean origin, the government has introduced some policy measures during the last decade. Responding to the rapid increase in international marriages since the turn of the century¹⁹ and providing support for these multicultural families, especially for foreign brides and their children, have become important items on the agenda. The South Korean government enacted the Act of Treatment of Foreigners in 2007, in which the protection of the human rights of foreigners and support for their social integration were addressed as being the duty of the state and local governments. One measure implemented by the Act was the social integration program for spouses of Korean citizens. The program provided its participants with certain incentives to obtain permanent resident status or naturalization. While it usually requires five years of residency with long-term residential status, written exams, and interviews in order to naturalize to South Korea, those who take the program receive an exemption from the written exams, and the time needed for the process is reduced.

Following the relaxation of requirements for resident status acquisition and the simplified naturalization process for spouses of Korean citizens, the government introduced the Multicultural Family Support Act in 2008 and established more than 200 Multicultural Family Support Centers around the country.²⁰ Local governments mainly operate these centers, providing such services as counseling for women and children, language education programs, working support programs, and organizing volunteer teams for these families. Together with the social integration of marriage immigrants, there was a question of the increasing number of children with dual citizenship as a consequence of the new Family Relationship Registration Act of 2008, which removed patrilineal civil registration. More recently, the Korean Immigration Service prepared the Basic Plan for Immigration Policy, in which immigrant integration and achieving multiculturalism are the recurring themes.²¹ Although it is still a policy without a concrete and specific perspective, it shows the remarkable shift in South Korea’s policy orientation, which could not have been imagined a few decades ago. One goal of the dual citizenship policy introduced in this context was to normalize the status of marriage immigrants and their children. It was, therefore, the growing social

diversity in South Korean society that brought about the introduction of the New Nationality Law.

Further study and careful analysis are necessary before understanding whether South Korean society is moving toward accepting cultural diversity or trying to push immigrants with various cultural backgrounds to follow and fit in with the standards of society.²² However, at least in policy, the South Korean government has made a move toward multiculturalism: the introduction of the New Nationality Law and immigrant integration policies are the latest steps forward, but definitely not the last. More comprehensive and systematic cooperation from national and local governments, as well as civil-society organizations and individuals, should be developed further in order for dual citizenship to bring full-fledged social benefits for every actors involved.

10.6 Conclusion

Dual citizenship policy represents both transnationalization of citizenship and a nationalist project for securing state authority. Bloemraad notes:

dual citizenship inhabits a curious place. On the one hand, it undermines traditional citizenship by allowing, and even promoting, mutual belonging, claims-making, rights and responsibilities. [...] On the other hand, dual nationality reinforces the centrality of nation-states because they continue to be the bodies that grant citizenship. (2004, p. 393)

Behind the increasing number of countries recognizing dual citizenship in recent years, there is a growing interest in the diasporas on the side of the state authority. It has resulted in various policy changes, including dual citizenship policy attempting to encourage not only remittances and investments from emigrants, but also the return of the educated and skilled ones. It has also changed the image associated with emigrants from “betrayers” and “escapees” to “heroes” and “development partners,” especially in developing countries (Guevarra, 2009; Whitaker, 2011). Each country has different reasons for recognizing or denying dual citizenship; in addition, the rules and practices of dual citizenship vary between those countries recognizing it. Although it is undeniable that economic and political interests are the strong driving forces behind the recognition of dual citizenship, attitudes toward dual citizenship vary between states depending on their political, economic, historical, social, and cultural background.

In the case of South Korea, the historical experience of having a large emigrant population as a consequence of colonization, decolonization, war, and economic difficulties, has prepared an abundant “resource”—namely overseas Koreans—for networking. It became especially attractive for the government following the economic crisis of the late 1990s. The growing numbers of immigrants, as well as such social problems as an aging population and declining birth rate, have also fueled the shift in migration and citizenship policies.

The New Nationality Law, with partial recognition of dual citizenship, represents the changing attitude of the South Korean state toward immigrants and the diasporas. It may become a springboard not only for resolving social problems and labor shortages, but also for recognizing the value of social diversity and realizing multiculturalism. However, in reality, South Korea’s immigration policies, including dual citizenship, still have many limitations and inadequacies in achieving the ideal.

Who benefits, then, from dual citizenship in South Korea? For the government, it is an attempt to attract skilled and talented individuals from abroad, as well as to generate economic gains from overseas Koreans through their investments and other transnational activities. However, these expectations seem quite difficult to fulfill, given the social and legal obstacles, such as persistent ethno-racial nationalism and suspicion against cultural diversity, or exclusion from the dual citizenship policy of foreign-born Koreans under the age of 65 and male citizens who have not completed their military service. Such obstacles make dual citizenship an impractical and questionable option in the eyes of diaspora Koreans. The scope of South Korean transnational nationalism encompasses South and North Koreans, Koreans adopted abroad, and overseas Koreans around the world trying to reconstitute globally the nation (Park, 1996). The New Nationality Law may provide further institutional infrastructures for this reimagining of the nation beyond territorial boundaries, and then dual citizenship will become an arena where competing interests and identity-claims come into play. In fact, diaspora communities are not homogeneous, but consist of individuals and groups from different backgrounds with varying needs and interests. It is therefore an extremely difficult task for the government to balance and manage their interests with those of native citizens and other immigrant groups, because policies favorable for the diasporas or immigrants may cause opposition from native citizens. Without tackling this issue, however, a series of policies for the diasporas will not bring about any successful outcomes; and that is applicable to non-Korean immigrants as well.

Highly skilled migrants may stay without being naturalized in order to maintain their ability to move easily to other countries for better opportunities, or to avoid the military service obligation for their children, for instance. On the other hand, though, dual citizenship has the advantage of securing rights and status for low- or semi-skilled migrants. However, other than as migrant brides, obtaining Korean citizenship is not easy for low-skilled migrants, since they often encounter difficulties in satisfying the residential and work requirements for naturalization. Moreover, the still narrow concept of “national belonging” in South Korea on many occasions prevents them from being regarded as equal members of society even after obtaining Korean citizenship, which may make dual citizenship unappealing to immigrants. It is, therefore, possible to say that the dual citizenship policy of South Korea has not yet realized its potential benefits for any of the actors involved, due to its partiality and limits.

However, this is not to devalue the dual citizenship policy. Together with the multicultural policies introduced in South Korea, it has at least contributed to raising the question of diversity within the category of “Korean,” as well as exposing the existence of various immigrant groups already living as members of the state, local communities, and families. As Lim points out, tolerance of cultural diversity and the transition to a multicultural society cannot be automatically achieved with mere policy introduction (Lim, 2009). In order for the dual citizenship policy to be beneficial for all stakeholders, from the state to individual migrants, there is a need for developing awareness of and respect for cultural and ethnic diversity. Various tasks are left for the society including further advocacy and awareness-raising, multicultural education at schools, legal regulations on corporate discrimination and hate speech, removal of educational obstacles for minorities, broader communication and dissemination of information at national and local government offices through multilingual media, and so on. Such efforts are especially important in countries like South Korea and Japan, where ethno-racial nationalism is persistent. The recognition of dual citizenship can contribute to foster a multicultural society. But such a potential will not simply be realized through policy implementation from the above. It is also and even more important to question about exclusive relationship between an individual and a political community and to recognize flexible and diverse forms of affiliations in order to go beyond the narrowly defined national and ethnic politics of belonging.

Notes

1. Citizenship and nationality are quite often used interchangeably. Nationality is the legal bond between a person and a state. It denotes formal membership

and gives rise to rights and duties for the individual and the state concerned. While this legal bond is also commonly referred to as citizenship, the latter is, however, a set of rights and duties that can, in some cases, be partially granted to an individual regardless of their nationality, and it does not necessarily overlap with the scope of nationality. However, to enter into a comprehensive discussion of the widely accepted definitions for these two terms—citizenship and nationality—is beyond the scope of this paper, given the broad debate surrounding these two terms. Although this paper uses “dual citizenship” rather than “dual nationality,” it is still important not to conflate these two since understanding these as two distinct legal statuses may enable us to have a better understanding of an individual’s legal status, political belonging, and social identity/identification.

2. This does not mean that dual citizenship had not become an issue before the Convention. In the 19th century, acquisition of nationality was already a matter of interstate cooperation for the US and European countries to resolve the competing claims of military conscription (Kosłowski, 2001, p. 206).
3. While the modern meaning of the term “diaspora” is originally based on the Jewish experience of dispersion and a promise of future return, the term has come to be used in a broader sense in recent years without the catastrophic connotations (Cohen, 1997), referring to emigrants and their descendants living outside their countries of origin or ancestry while still maintaining a connection with those countries. However, what the term implies is more than just denoting emigrants and their descendants. The usage of the term here is to denote not just emigrants and their communities who maintain links with their “homeland,” but also those subjects with whom state authorities actively engage in order to build a network for development. In other words, emigrants are treated as “diaspora” when they are recognized by the state authorities as the subject of interpellation and are incorporated into a sort of “center–outer” relationship against their homeland.
4. For details about South Korea’s immigration policies, see S. Lee (2005).
5. The policy recognized, for instance, the real estate ownership of first-generation emigrants, and increased the limit of the amount of property that could be taken out of the country, which overseas Koreans had been calling for.
6. The Overseas Koreans Act granted partial citizenship to overseas Koreans, including legal residency, possession of land, and freedom to work in the country. It was the Korean emigrants and their descendants in the US who raised the initial idea of the Act, asking for equal treatment of former citizens living abroad in property succession and acquisition of real estate. Although the Act excluded Korean Chinese from the definition of overseas Korean at first, it was judged as unconstitutional in 2001 and was amended in 2004 to include Korean Chinese and Koreans in the former USSR countries.
7. The EPS enabled employers, especially small and medium businesses, to legally hire the migrant workers needed for their business, while securing basic rights for the workers under labor relations laws, and even putting obligations on employers to pay for “insurance,” which covered the cost of returning and, if necessary, unpaid wages at the time of departure. The system was modified in 2008 to allow non-skilled workers to change their visa status to a permanent type by fulfilling certain criteria, such as five years of employment in the country and a good skill level. It was the first comprehensive program for the employment of foreign workers with conditions

- equal to those of Korean workers, and it also contributed to reducing the number of undocumented migrant workers (Kong et al., 2010).
8. The law transformed the previous registration system, under which the household was the basis of registering an individual's address, represented by the head of the household. Under the new system, an individual could choose their own address for registration. The new system also allowed a married couple to give their child the mother's family name, which was previously restricted to the father's family name, and for the child to change their family name in the case of divorce or remarriage of a parent.
 9. For details of the Multicultural Family Support Act, see Ministry of Gender Equality and Family website, http://english.mogef.go.kr/eng_laws/laws_12.html, accessed July 8, 2013.
 10. See for instance work of Global Overseas Adoptees' Link (G.O.A.'L), <http://goal.or.kr/>, accessed August 10, 2013. G.O.A.'L launched its Dual citizenship Campaign in 2007 to raise awareness about adoptees and dual citizenship in South Korean society, and published a report in 2010 (Global Overseas Adoptees' Link, 2010).
 11. "Overseas birth" means an act of traveling to another country with the aim of giving birth to a child there merely to obtain foreign citizenship.
 12. *Hi Korea: e-government for foreigners*, http://www.hiKorea.go.kr/pt/main_kr.pt, accessed February 15, 2012.
 13. Residential visa (F-2), Permanent Resident visa (F-5), and Overseas Koreans (F-4). A Residential visa (F-2) is granted to spouses of Korean nationals or permanent residents, and it allows a stay of three years only. It is also granted to foreign workers and investors upon satisfying certain requirements. Foreign residents are able to apply for a Permanent Resident visa (F-5) after residing in South Korea for three years with F-2 status. Those who came with an employment visa may apply for F-2 status by fulfilling certain requirements, and those who married a Korean national can obtain F-2 status upon marriage, and will be able to change to F-5 status after a stay of three years, whereby they will have the same rights as Korean citizens. However, the Korean government explicitly announced that it would provide "a high-investment foreigner and a foreigner of superior ability in specified fields" with a stable residency qualification, job security, and preferential treatment for F-5 status if they were going to obtain F-2 status and satisfy certain educational and financial criteria. F-5 status is to be offered immediately to foreign investors who have resided in Korea for at least three years, invested more than USD 500,000, and hired at least five Korean nationals. It is also granted to professional and skilled foreigners who are specialists in the fields of science, education, culture/art, physical culture, and business administration.
 14. Introducing the concept of "the domestic abroad," Varadarajan (2010) analyzes the recent policies of the Indian state for its diaspora population. According to Varadarajan, there were two simultaneous, ongoing processes behind the Indian state embracing the concept of people of Indian origin abroad as "the domestic abroad," through such policy changes as the recognition of dual citizenship. It was necessary for the Indian state to bring in more foreign investment in the aftermath of the currency crisis of 1991. However, the succeeding neoliberal economic reforms were, in the

eyes of the bourgeoisie and political representatives, “imposed by external forces, a fact that was symptomatic to the loss of the sovereignty and the legitimacy of the Indian state” (Varadarajan, 2010, p. 20). In order to resolve this dilemma, engaging with Indian diaspora became essential for not just economic development but also the representation of the Indian state in international society.

15. While there are many studies on the cross-border activities of diaspora Koreans, the publications (in Korean) of the Research Center for Overseas Korean Business and Culture (Chonnam University, South Korea) are useful resources for understanding the economic and cultural activities of overseas Koreans.
16. South Korea Ministry of Justice, *Trends in Nationality Statistics*, http://www.index.go.kr/egams/stts/jsp/potal/stts/PO_STTS_IdxMain.jsp?idx_cd=1760, accessed February 15, 2012.
17. During the period from January 2011 to March 2013, 12,011 foreigners who were naturalized through marriage, became dual citizens after making an oath of not exercising their foreign citizenship within South Korea Ministry of Justice, *Trends in Nationality Statistics*, http://www.index.go.kr/egams/stts/jsp/potal/stts/PO_STTS_IdxMain.jsp?idx_cd=1760, accessed February 15, 2012.
18. “13 Korean adoptees obtain dual citizenship,” *The Korea Herald*, April 19, 2011. <http://www.Koreaherald.com/view.php?ud=20110419000739>, accessed August 30, 2013.
19. The rate of international marriages has increased since 2000, reaching about 13% in 2005. The major countries of origin for these brides are China (Korean Chinese), Vietnam, the Philippines, and Cambodia, and many of them are married to Korean men working in agriculture and fisheries.
20. For further information on the service of the Multicultural Family Support Center, see a Portal Supporting Multicultural Households, http://www.liveinKorea.kr/global/contents/contents_view.asp?idx=28, accessed July 8, 2013.
21. *The First Basic Plan for Immigration Policy, 2008–2012*, <http://immigration.go.kr/HP/IMM/icc/basicplan.pdf>, accessed January 21, 2012, and the *2nd Basic Plan for Immigration Policy, 2013–2017*, http://www.immigration.go.kr/HP/COM/bbs_03/ShowData.do, accessed September 1, 2013. See also *Building a Multicultural Society Together*, http://www.moj.go.kr/HP/TIMM/imm_07/image/bro_eng.pdf, accessed September 1, 2013. All published by the Korean Immigration Service.
22. For examples of recent studies on migrant integration in South Korea, see Y. L. Kim (2010), B. Lee (2010), and Y. O. Kim (2012).

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